UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

TUAN H. NGUYEN,)
Plaintiff,)
v.)) JUDGMENT
AUSTIN QUALITY FOODS, INC.; KEEBLER COMPANY, INC.; and) No. 5:12-CV-49-FI
KELLOGG COMPANY, Defendants.)))

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the defendant's motion for summary judgment and the memorandum and recommendation of the United States Magistrate Judge to which plaintiff timely objected and defendants responded.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered September 24, 2013, and for the reasons set forth more specifically therein, that defendant's motion for summary judgment is granted. The plaintiff shall have and recover nothing from this action.

This Judgment Filed and Entered on September 24, 2013, and Copies To:

Beatrice Joan Davis (via CM/ECF Notice of Electronic Filing)
Robert Henry Jessup, IV (via CM/ECF Notice of Electronic Filing)
Kimberly Joyce Lehman (via CM/ECF Notice of Electronic Filing)
Robert A. Star (via CM/ECF Notice of Electronic Filing)

September 24, 2013

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk